

STATEMENT OF CONSIDERATION
Relating to 401 KAR 10:030
Not Amended After Comments

I. The public hearing on 401 KAR 10:001, 10:029, 10:030 and 10:031, scheduled for September 27, 2012, at 5 p.m. at 300 Fair Oaks Lane, Conference Room 301D, Frankfort, Kentucky, was held; several members of the public did attend this public hearing, including Mr. Hank Graddy (Sierra Club), Mindy Scott, (Northern Kentucky Sanitation District #1), Chad Harpole (Kentucky Chamber of Commerce), Lloyd Cress (Kentucky Coal Association), Larinda Tervelt and Annie Godfrey (U.S. EPA Region 4). Mr. Hank Graddy, (Cumberland Chapter of the Sierra Club), provided verbal comments. Written comments were also received regarding these administrative regulations.

II. The following people submitted written comments regarding this administrative regulation:

<u>Name and Title</u>	<u>Agency/Organization/Entity, Other</u>
Mr. Hank Graddy	W.H. Graddy & Assoc., Cumberland Chapter, Sierra Club
Tim Joice	Water Policy Director, Kentucky Waterways Alliance
David E. Rager	Executive Director, No. Kentucky Sanitation District #1

III. The following people from the promulgating administrative body responded to the written comments:

<u>Name and Title</u>
Peter Goodmann, Assistant Director
Randall Payne, Environmental Scientist III

IV. Summary of Comments and Responses

401 KAR 10:030

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| (1) | Subject Matter: | Support for Ashby's Fork of Woolper Creek as "Exceptional" water |
| | (a) Commenter(s): | David E. Rager, No. Kentucky Sanitation District #1 |
| | Comment: | No. Kentucky Sanitation District #1 commends the KDOW on proposing to classify Ashby's Fork of Woolper Creek as "Exceptional" waters, indicating that care of this watershed should be taken to maintain its water quality. |
| | (b) Response: | The cabinet acknowledges the support for recognizing Ashby's Fork as an Exceptional Water under 401 KAR 10:030. |
| (2) | Subject Matter: | Support the addition of 16 additional Exceptional Waters per 401 KAR 10:030. |
| | (a) Commenter(s): | Tim Joice, Kentucky Waterways Alliance
Hank Grady, W. H. Grady & Associates, Sierra Club |

Comment: KWA and the Sierra Club support the addition of 16 candidate
Exceptional Waters in 401 KAR 10:030.
(b) Response: The cabinet acknowledges the support for the 16 candidate
Exceptional Waters proposed in 401 KAR 10:030.

IV. Summary of the Statement of Consideration and Action Taken by Promulgating Administrative Body

The public hearing on 401 KAR 10:030 was convened; several members of the public attended this public hearing, and one individual provided verbal comments. Written comments were also received regarding this administrative regulation. The cabinet is not proposing amendments to this regulation in response to public comments.